

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

UNITED STATES OF AMERICA

v.

No. 1:19CR10042 STA

THOMAS KELLY BALLARD, III

POSITION PAPER

COMES NOW the Defendant, Thomas Kelly Ballard, III, by and through his counsel of record, Leslie I. Ballin, would respectfully file this Position Paper with respect to the Pre-sentence Report entered in this cause.

The Defendant has no objection to the Pre-Sentence Report in this cause other than the following factual corrections that do not effect the Guideline calculations or statutory sentencing provisions:

On page 10, paragraph 38, Doctor and Mrs. Ballard married in 1991.

On page 11, paragraph 47, Dr. Ballard attended University of Tennessee Health Science Center College of Medicine from 1980 through 1984.

On page 12, paragraph 49, Defendant would clarify that from 2016 to 2019 his income went from approximately \$16,000 per month, to approximately \$5,000 per month (which included his wife's income), because he began the retirement process which reduced his monthly income.

Defendant maintains that this Court should sentence him considering all sentencing factors as contained in 18 USC 3553.

Respectfully submitted,
/s/ Leslie I. Ballin, Esq. BPR # 05605
BALLIN, BALLIN & FISHMAN, P.C.
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Memphis, TN 38103
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the Honorable S. Thomas Anderson and AUSA Jason Knutson, Andrew Pennebaker and Jillian Willis via electronic mail this the 7th day of October, 2021.

/s/ Leslie I. Ballin, Esq. _____